

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
 STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

Attorney's Docket No. _____

I hereby declare that I am

the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN Martin GmbH für Umwelt- und Energietechnik
 ADDRESS OF CONCERN Leopoldstraße 248, D-80807 München, Germany

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FIRE GRATE, IN PARTICULAR FOR WASTE INCINERATORS by the Inventor(s) _____ described in _____

the specification filed herewith
 application Serial No. _____, filed _____
 Patent No. _____, issued _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

FULL NAME _____

ADDRESS _____

Individual Small Business Concern Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Johannes MARTIN

TITLE OF PERSON SIGNING Managing Director

ADDRESS OF PERSON SIGNING Im-Seelert-Bogen 62, D-81929 Munich

SIGNATURE Johannes Martin

DATE 02/04/97

USA 91

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

FIRE GRATE, IN PARTICULAR FOR WASTE INCINERATORS

the specification of which (check one below):

(XX) is attached hereto.

() was filed on _____ as Application Serial No. _____ or Express Mail No. _____, Serial No. not yet known, and was amended on _____ (if applicable).

() was filed on _____ as PCT International Application No. _____, and as amended under PCT Article 19 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>196 06 107.5</u>	<u>Germany</u>	<u>02/19/96</u>	<u>(XX) Yes</u>	<u>() No</u>
(Number)	(Country)	Day/Month/Year Filed		
<u> </u>	<u> </u>	<u> </u>	<u>() Yes</u>	<u>() No</u>
(Number)	(Country)	Day/Month/Year Filed		
<u> </u>	<u> </u>	<u> </u>	<u>() Yes</u>	<u>() No</u>
(Number)	(Country)	Day/Month/Year Filed		

I hereby claim the benefit under Title 35, United States Code, §120 and/or §119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>(Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status: Patented, Pending, or Abandoned)</u>
<u> </u>	<u> </u>	<u> </u>
<u>(Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status: Patented, Pending, or Abandoned)</u>
<u> </u>	<u> </u>	<u> </u>
<u>(Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status: Patented, Pending, or Abandoned)</u>
<u> </u>	<u> </u>	<u> </u>

I hereby appoint Richard H. Evans (R. No. 19,755), John D. Poffenberger (R. No. 20,245), Bruce Tittel (R. No. 22,324), Donald F. Frei (R. No. 21,190), David J. Josephic (R. No. 22,849), A. Ralph Navaro, Jr. (R. No. 23,050), David S. Stallard (R. No. 25,930), J. Robert Chambers (R. No. 25,448), Gregory J. Lunn (R. No. 29,945), Kurt L. Grossman (R. No. 29,799), Clement H. Luken, Jr. (R. No. 32,742), Thomas J. Burger (R. No. 32,662), Gregory F. Ahrens (R. No. 32,957), Joseph R. Jordan (R. No. 25,686), Wayne L. Jacobs (R. No. 35,553), Kurt A. Summe (R. No. 36,023), C. Richard Eby (R. No. 25,854), Thomas W. Humphrey (R. No. 34,353), Keith R. Haupt (R. No. 37,638), David E. Pritchard (R. No. 38,273), Theodore R. Remaklus (R. No. 38,754), J. Dwight Poffenberger, Jr. (R. No. 35,324), and Stephen W. Barns (R. No. 38,037) my attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Address all correspondence and telephone calls to Thomas J. Burger at Wood, Herron & Evans, P.L.L.C., 2700 Carew Tower, Cincinnati, Ohio, 45202 at telephone number (513) 241-2324.

Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor
(given name, family name) Walter Josef Martin

Inventor's signature X Walter Martin Date 18.1.97

City and State of Residence Munich - Germany Citizenship German
Post Office Address Leopoldstr. 248 - D 80807 München

Full name of second joint inventor,
if any (given name, family name) Johannes Martin

Second inventor's signature X Johannes Martin Date 7.1.97

City and State of Residence Munich Germany Citizenship German
Post Office Address Max- Seidel-Rogen 62, D-81929 München

Full name of third joint inventor,
if any (given name, family name)

Third inventor's signature _____ Date _____

City and State of Residence _____ Citizenship _____
Post Office Address _____